TITLE: An Action Relating to Resources and Development Committee; Naabik’íyáti’ Committee, and the Navajo Nation Council; Approving Oil and Gas Operating Agreements Between the Navajo Nation and Navajo Nation Oil and Gas Company for Tohachee Wash, Beautiful Mountain, and Porcupine Dome

Date posted: November 4, 2021 at 10:39 PM

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DATE: October 18, 2021

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING OIL AND GAS OPERATING AGREEMENTS BETWEEN THE NAVAJO NATION AND NAVAJO NATION OIL AND GAS COMPANY FOR TOHACHEE WASH, BEAUTIFUL MOUNTAIN, AND PORCUPINE DOME

PURPOSE: The purpose of this legislation to approve Tohachee Wash, Beautiful Mountain, and Porcupine Dome Oil and Gas Operating Agreements between the Navajo Nation and the Navajo Nation Oil and Gas Company.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL—Third Year, 2021
INTRODUCED BY

Primary Sponsor

TRACKING NO. Q232-21

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE,
NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL;
APPROVING OIL AND GAS OPERATING AGREEMENTS BETWEEN THE
NAVAJO NATION AND NAVAJO NATION OIL AND GAS COMPANY FOR
TOHACHEE WASH, BEAUTIFUL MOUNTAIN, AND PORCUPINE DOME

BE IT ENACTED:

SECTION ONE. AUTHORITY
A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C §102(A).
B. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council and is authorized to assign proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9) and 700(A).
C. The Resources and Development Committee is a standing committee of the Navajo Nation Council and is authorized to make recommendations to the Navajo Nation Council for final approval for mineral agreements. 2 N.N.C. §§ 500 (A), and 501(B)(4)(a).
SECTION TWO. FINDINGS

A. The Navajo Nation is blessed with abundant energy resources.

B. Historically, these resources were leased to non-Navajo entities, and the Navajo Nation benefited appropriately from the development of those resources but hoped to include Navajo entities in also benefitting from the development of those resources.


D. One of NNOGC’s principal objectives assigned by the Navajo Nation Council has been to regain for the Navajo Nation mineral lands that had been leased to others, so that those resources could be developed, the life of the resource extended, and the Navajo Nation take part in the risks and rewards of being a part of the energy business. NNOGC has done so, acquiring with partners lands formerly leased to Chevron Texaco, Exxon Mobil and other companies; investing over $390 million of NNOGC’s own proceeds in the acquisition and development of the Aneth and other oil fields within the Navajo Nation; reversing the decline in oil and gas production on the Navajo Indian Reservation through those investments; and managing and growing a successful business that the Nation owns.

E. It is in the best interest of NNOGC and the Navajo Nation for NNOGC to continue exploration and production of Navajo Nation oil and gas resources, including the Nation’s world class helium resources, by approving new oil and gas operating agreements for NNOGC, and by NNOGC’s investing in development of Navajo Nation resources pursuant to such agreements.

F. NNOGC and the Navajo Nation now desire to enter into Oil and Gas Operating Agreements.

G. The Navajo Nation Oil and Gas Operating Agreement for Tohachee Wash is attached as Exhibit A; the Programmatic Environmental Assessment of the Tohachee Wash
Project for the Navajo Nation Oil and Gas Company, Apache Country, Arizona with appendices is attached as Exhibit A-1; the survey and legal description of the Tohache Wash Project is attached as Exhibit A-2.

H. The Navajo Nation Oil and Gas Operating Agreement for Beautiful Mountain is attached as Exhibit B; the Programmatic Environmental Assessment of the Beautiful Mountain Project for the Navajo Nation Oil and Gas Company, Apache Country, Arizona with appendices is attached as Exhibit B-1; and the survey and legal description of the Beautiful Mountain Project is attached as Exhibit B-2.

I. The Navajo Nation Oil and Gas Operating Agreement for Porcupine Dome is attached as Exhibit C; the Programmatic Environmental Assessment of the Porcupine Dome Project for the Navajo Nation Oil and Gas Company, Apache Country, Arizona with appendices is attached as Exhibit C-1; and the survey and legal description of the Porcupine Dome Project is attached as Exhibit C-2.

J. Supporting Chapter Resolutions Teec Nos Pos Chapter Resolution No. TNPCH 07-09-17 R61, Teec Nos Pos Chapter Resolution No. TNPCH 06-13-2019 R-76, and Tsé Alnaozti’í Chapter Resolution No. TAT-19-06-66 are attached as Exhibits D, E and F respectively.

K. The Executive Official Review Document No. 016149 is attached as Exhibit G.

SECTION THREE. APPROVAL AND AUTHORIZATION

A. The Navajo Nation hereby approves the Oil and Gas Operating Agreement between the Navajo Nation and Navajo Nation Oil and Gas Company for Tohachee Wash, Exhibit A

B. The Navajo Nation hereby approves the Oil and Gas Operating Agreement between the Navajo Nation and Navajo Nation Oil and Gas Company for Beautiful Mountain, and Porcupine Dome, attached hereto respectively as, Exhibit B.

C. The Navajo Nation hereby approves the Oil and Gas Operating Agreement between the Navajo Nation and Navajo Nation Oil and Gas Company for and Exhibit C.

D. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to affect the intent and purpose of this resolution.